

1 Amend 2 Cal. Code Regs. Section 18707.3 as follows:

2 **18707.3. Public Generally - Small Jurisdictions; Principal Residence.**

3 (a) The effect of a governmental decision on the principal residence of a public official is not
4 distinguishable from the effect on the public generally where all of the following conditions are
5 met:

6 (1) The public official's agency has jurisdiction over a population of 25,000 or less

7 **[Decision 4]** or covers a geographic area of [1/2/3/4] square miles or less.

8 (2) The decision does not have a direct effect (as provided in [*proposed*] Title 2, California
9 Code of Regulations, section 18704.2**[Decision 1A]**(a)(2) – (6)) on the real property that serves
10 as the public official's principal residence.

11 (3) The real property that serves as the public official's principal residence is more than
12 **[Decision 1B]** ~~500~~ 300 feet from the boundaries of the property which is the subject of the
13 decision.

14 **[Decision 2]** ~~(4) There are at least 100 properties under separate ownership which are within~~
15 ~~a 2,500 foot radius of the boundaries of the property which is the subject of the decision.~~

16 (5) The principal residence is located on a parcel of land not more than one acre in size, or
17 which, under the zoning and subdivision regulations of the jurisdiction in which it is located,
18 cannot be further subdivided.

19 (6) The effect of the decision on the official's real property interest will be substantially the
20 same as the effect of the decision on the majority of the residential properties which are beyond
21 ~~500~~ **[Decision 3]** 300 feet, but within 2,500 feet of the boundaries of the real property that is the
22 subject of the decision.

1 (b) For purposes of this regulation, “principal residence” means the domicile of a person, in
2 which the person’s habitation is fixed, wherein the person has the intention of remaining, and to
3 which the person, whenever he or she is absent, has the intention of returning. At any given time,
4 a person may have only one principal residence. With respect to units in condominium
5 complexes, planned unit developments, and similar residences, “the real property that serves as
6 the public official’s principal residence” and “principal residence,” as used in this regulation,
7 means the unit or space in which the official has a separate ownership interest.

8 NOTE: Authority cited: Section 83112, Government Code.

9 Reference: Section 87103, Government Code.

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